

U.S. MAGISTRATE COURT  
JSH - SDTX  
FILED**RECEIVED**

DEC 18 2012

SA-12-CR-1063-(1)-FB DEC 03 2012 DF

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY DEPUTY CLERK**J. SCOTT HACKER,**  
United States Magistrate Judge, PresidingDavid J. Bradley, Clerk  
Laredo Division

Deputy Clerk	Debbie Flores
Court Reporter	Veronica Cantu (ERO)
Court Interpreter	Zeph Pease/Ezequiel Quijano, not used
U.S. Pretrial	Julio Taboada
U.S. Probation	Martin Gutierrez
U.S. Marshal	Mike Russell/Patrick Martin

Open 10:03 AM

Adjourn 10:09 AM

DATE **December 3, 2012**

Western District of Texas/San Antonio Division - Docket No. 5:12cr1063-1  
Southern District of TX/Laredo Division - Docket No. 5:12mj1539-1

United States of America	§	Michelle Marshall/Gracie Rodriguez, AUSA
vs	§	
Gume Roberto Garza, Defendant	§	Marilu Cantu f/Jose Tellez Sr, retained

**Courtroom Minutes****Initial Appearance**

- ✓ Initial appearance on **Warrant on Arrest**.
- ✓ Defendants first appearance. Dft. Advised of charges and rights.
- ✓ Defendant advised of charges.
 

✓ <u>Indictment</u>	<input type="checkbox"/> Violation of <u>Felony Probation</u>
<input type="checkbox"/> Violation of <u>Pretrial Release</u>	<input type="checkbox"/> Violation of <u>Misdemeanor Probation</u>
<input type="checkbox"/> Violation of <u>Supervised Release Term</u>	<input type="checkbox"/> Other:
- ✓ **FINANCIAL AFFIDAVIT**, executed and filed.
- ✓ Defendant appeared with Attorney Marilu Cantu.  
Federal Public Defender, appointed.  
Private Attorney, appointed. Next on list: (not present in courtroom)
- ✓ No bond set.
- ✓ ID/Preliminary and Detention Hearings set for 12/06/12 at 10:00 AM in Courtroom 2C before US Magistrate Judge J. Scott Hacker.  
Defendant advised Court of **medical condition(s)** or need(s):
- ✓ Defendant **remanded** to the custody of U.S. Marshals to be transported to Western District of Texas/San Antonio Division.

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

U.S. MAGISTRATE COURT  
JSH - SDTX  
FILED

DEC 03 2012 DF

David J. Bradley, Clerk  
Laredo Division

UNITED STATES OF AMERICA

v.

Case No: 5:12-mj-1539-1  
Judge J. SCOTT HACKER

GUME ROBERTO GARZA

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NOTICE OF SETTING

TAKE NOTICE THAT A PROCEEDING IN THIS CASE HAS BEEN SET FOR  
THE PLACE, DATE AND TIME SET FORTH BELOW.

Before the Honorable J. Scott Hacker

**PLACE:**

Courtroom 2C  
United States District Court  
1300 Victoria Street  
Laredo, Texas

**DATE:** Thursday, 12/06/12

**TIME:** 10:00 A.M.

**TYPE OF PROCEEDING:** ID/Detention/Preliminary Hearings

Date: December 3, 2012

Clerk of the Court

cc: AUSA  
JOSE TELLEZ SR

AO 468 (Rev. 01/09) Waiver of a Preliminary Hearing

U.S. MAGISTRATE COURT  
JSH - SDTX  
FILEDUNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION

DEC 06 2012 DF

David J. Bradley, Clerk  
Laredo DivisionUnited States of America )  
v. )  
Gomez Roberto Guzman )  
Defendant )Case No. 5:12mj01539-1

## WAIVER OF A PRELIMINARY HEARING

I understand that I have been charged with an offense in a criminal complaint filed in this court, or charged with violating the terms of probation or supervised release in a petition filed in this court. A magistrate judge has informed me of my right to a preliminary hearing under Fed. R. Crim. P. 5, or to a preliminary hearing under Fed. R. Crim. P. 32.1.

I agree to waive my right to a preliminary hearing under Fed. R. Crim. P. 5 or Fed. R. Crim. P. 32.1.

Date: 12/6/12[Signature]  
Defendant's signature[Signature]  
Signature of defendant's attorneyJose Salvador Tellez  
Printed name and bar number of defendant's attorney1102 Scott  
Address of defendant's attorneyjs.tellez.54@sbaaglobal.net  
E-mail address of defendant's attorney(956) 725-0008  
Telephone number of defendant's attorney(956) 725-2823  
FAX number of defendant's attorney

U.S. MAGISTRATE COURT  
JSH - SDTX  
FILED

AO 466A (Rev. 01/09) Waiver of Rule 5 &amp; 5.1 Hearings (Complaint or Indictment)

## UNITED STATES DISTRICT COURT

for the

~~Southern~~ District of Texas

DEC 06 2012 DF

David J. Bradley, Clerk  
Laredo Division

United States of America )

v. )

Case No. 5:12mj01539-1Gume Roberto Garza  
Defendant )

Charging District's Case No. )

WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)I understand that I have been charged in another district, the (name of other court) Western District  
of Texas, San Antonio Division

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 10 days of my first appearance if I am in custody and 20 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☒ a preliminary hearing.
- ☒ a detention hearing.
- ☐ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 12/6/12X [Signature]

Defendant's signature

[Signature]

Signature of defendant's attorney

Jose Salvador Teller

Printed name of defendant's attorney

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION**

U.S. MAGISTRATE COURT  
JSH - SDTX  
FILED

DEC - 7 2012 CLR

David J. Bradley, Clerk  
Laredo Division

**UNITED STATES OF AMERICA**

§

VS

§

**LAREDO NO. L-12-MJ-1539-01**

**SAN ANTONIO NO. SA-12-CR-1063 FB**

**GUME ROBERTO GARZA;  
AKA: GUMERCINDO GARZA PEREZ;  
AKA: GUMERCINDO P. PEREZ;  
AKA: GUMERCINDO PEREZ GARZA;  
AKA: GUME P. GARZA; AKA: GUME GARZA;  
AKA: GERARDO VASQUEZ;  
AKA: GERARDO VAZQUEZ**

§

**ORDER**

The Government did not proceed with the detention hearing and agreed with the recommendation made by the U.S. Pretrial Office for a bond. The Court therefore hereby orders that the defendant's bond be set at **\$150,000.00** bond, with a 5% cash deposit, and two co-sureties, along with the additional bond conditions as set out by Pretrial Services.

SIGNED, this 7<sup>th</sup> day of December, 2012.

  
\_\_\_\_\_  
J. SCOTT HACKER  
United States Magistrate Judge

JSH/cr

**U.S. District Court  
SOUTHERN DISTRICT OF TEXAS (Laredo)  
CRIMINAL DOCKET FOR CASE #: 5:12-mj-01539-1**

Case title: USA v. Garza  
Other court case number: SA12-cr-1063-FB Western  
District of Texas - San Antonio

Date Filed: 12/03/2012

Assigned to: Magistrate Judge J. Scott  
Hacker

**Defendant (1)**

**Gume Roberto Garza**

*also known as*

Gumerindo Garza Perez

*also known as*

Gumerindo Garza-Perez

*also known as*

Gumerindo Perez Garza

*also known as*

Gume P. Garza

*also known as*

Gume Garza

*also known as*

Gerardo Vasquez

*also known as*

Gerardo Vazquez

represented by **Jose Salvador Tellez**

Attorney at Law

1102 Scott St

Laredo, TX 78040

956-722-0008

Fax: 956-725-2823

Email: jsalvador54@sbcglobal.net

**ATTORNEY TO BE NOTICED**

*Designation: Retained*

**Marilu Cantu**

Law Offices Of Jose Salvador Tellez

1102 Scott

PO BOX 6658

Laredo, TX 78042-6658

956-722-0008

Email: mcantuattorney@gmail.com

**ATTORNEY TO BE NOTICED**

*Designation: Retained*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level (Terminated)**

None

**Complaints**

None

**Disposition****Plaintiff**

USA

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
12/03/2012	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge J. Scott Hacker: INITIAL APPEARANCE on Warrant on Arrest as to Gume Roberto Garza, Defendants first appearance (Deft advised of charges and rights) held on 12/3/2012. Financial affidavit, executed and filed. Defendant appeared with Attorney Marilu Cantu. No bond set. Identity, Preliminary Examination and Detention Hearing set for 12/6/2012 at 10:00 AM in Courtroom 2C before Magistrate Judge J. Scott Hacker. Appearances:Michelle Marshall / Gracie Rodriguez, AUSA; Marilu Cantu f/ Jose Tellez, Sr., retained.(ERO:Veronica Cantu) (Interpreter:Zeph Pease / Ezequiel Quijano - not used) Deft remanded to the custody of U.S. Marshals to be transported to Western District of Texas / San Antonio Division, filed.(dgonzalez) (Entered: 12/04/2012)
12/03/2012	<u>3</u>	Sealed Financial Affidavit CJA 23 by Gume Roberto Garza, filed. (Entered: 12/04/2012)
12/03/2012		Attorney update in case as to Gume Roberto Garza. Attorney Jose Salvador Tellez,Marilu Cantu for Gume Roberto Garza added. (dgonzalez) (Entered: 12/04/2012)
12/03/2012	<u>4</u>	NOTICE OF SETTING as to Gume Roberto Garza. ID/Detention Hearing/Preliminary Hearing set for 12/6/2012 at 10:00 AM in Courtroom 2C before Magistrate Judge J. Scott Hacker, filed.(dgonzalez) (Entered: 12/04/2012)
12/03/2012	<u>5</u>	**ENTERED IN ERROR** RECEIPT of Transmittal Letter from Northern District of Illinois / Chicago Division filed under case 12cr857 received on 11/29/12 as to Gume Roberto Garza, filed. (dgonzalez) Modified on 12/5/2012 (dgonzalez). (Entered: 12/04/2012)
12/05/2012	<u>6</u>	Pretrial Services Report (Sealed) as to Gume Roberto Garza, filed. (hcortez, ) (Entered: 12/05/2012)
12/06/2012		Minute Entry for proceedings held before Magistrate Judge J. Scott Hacker: IDENTITY, PRELIMINARY EXAMINATION AND DETENTION HEARING as to Gume Roberto Garza held on 12/6/2012. ***ID and Preliminary Hearing did not go forward. Attorney Tellez Sr filed a Waiver of Preliminary Hearing. ***DETENTION: Government agreed with \$150,000.00 bond; 5% cash deposit; 2 co-sureties along with other conditions set by Pretrial Services. The Court will issue an order. Waiver of Rule 5 & 5.1 Hearings, filed. (10:04 - 10:08). Appearances: Michelle Marshall f/Government; Jose Tellez Sr f/Defendant; USPO Laura Escobar; USPTS Nancy Lopez; USM Julio

		Sanchez/Mel Sanchez. (ERO: Aimee Veliz). (Interpreter: Ina Pool/Francisco Vergara, not used). Deft remanded to custody, filed. ( dflores ) (Entered: 12/06/2012)
12/06/2012	<u>7</u>	WAIVER of Preliminary Hearing by Gume Roberto Garza, filed. ( dflores ) (Entered: 12/06/2012)
12/06/2012	<u>8</u>	WAIVER of Rule 5 & 5.1 Hearings by Gume Roberto Garza, filed. ( dflores ) (Entered: 12/06/2012)
12/07/2012	<u>9</u>	ORDER as to Gume Roberto Garza. Bond set at \$150,000.00 bond, with a 5% cash deposit, and two co-sureties. ( Signed by Magistrate Judge J. Scott Hacker) Parties notified. (dgonzalez) (Entered: 12/07/2012)
12/11/2012	<u>10</u>	Appearance Bond Entered as to Gume Roberto Garza in amount of \$150,000.00/with \$7,500.00 Deposit, Bond Depositor/Surety: Diana Aracely Garza, Surety: Carlos Alfonso Guzman, filed. (bmendoza, ) (Additional attachment(s) added on 12/11/2012: # <u>1</u> Unredacted Bond) (bmendoza, ). (Entered: 12/11/2012)
12/11/2012	<u>11</u>	NOTICE of Change of Address as to Gume Roberto Garza., filed.(mmarquez) (Entered: 12/14/2012)

PACER Service Center			
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12/18/2012 14:30:46			
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